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ELI LILLY AND COMPANY

By KLB

Date 10-9-01

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Mark L. Brader, et al.)
Serial No.	:	08/484,542)
Filed	:	June 7, 1995) Group Art Unit: 1631
For	:	STABILIZED ACYLATED INSULIN FORMULATIONS) Examiner: M. Allen
Docket No.	:	X-10097)

AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. 1.116

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In response to the Office Action dated April 10, 2001 (Paper No. 27), Applicants provide the following amendment and remarks.

A petition for a three month extension of time, and authorization to debit Applicants' deposit account no. 05-0840 for the requisite extension of time fee, are being filed herewith.

A Request For Continued Examination (RCE) is being filed herewith.

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PTO/SB/30 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	08/484,542
Filing Date	June 7, 1995
First Named Inventor	Mark L. Brader, et al.
Group Art Unit	1631
Examiner Name	M. Allen
Attorney Docket Number	X-10097

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 05-0840
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$ _____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Grant E. Reed	Registration No. (Attorney/Agent)	41,264
Signature	<i>Grant E. Reed</i>	Date	10/9/01

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type)	K.S. Broades		
Signature	<i>K.S. Broades</i>	Date	10-9-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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FEE TRANSMITTAL

Note: Effective November 10, 1998.
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$1,660.00)

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 05-0840

Deposit Account Name Eli Lilly and Company

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

OCT 12 2001
Payment Enclosed: Check Money Order Other

FEE CALCULATION

FILING FEE

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. CLAIMS	Extr a	Fee from below	Fee Paid
Total Claims	-20**=	X 18	=
Independent Claims	-3***=	X 84	=
Multiple Dependent Claims (first time)		280	=

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
109	84	209	42	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity Fee Code	105	Entity Fee (\$)	130	Small Entity Fee Code	205
					Entity Fee (\$)
					65
					Surcharge-late filing fee or oath
	127		50		Surcharge-late provisional filing fee or cover sheet
	139		130		Non-English specification
	147		2,520		For filing a request for reexamination
	112		920*		Requesting publication of SIR prior to Examiner action
	113		1,840*		Requesting publication of SIR after Examiner action
	115		110		Extension for reply within first month
	116		400		Extension for reply within second month
	117		920		Extension for reply within third month
	118		1,440		Extension for reply within fourth month
	128		1,960		Extension for reply within fifth month
	119		320		Notice of Appeal
	120		320		Filing a brief in support of an appeal
	121		280		Request for oral hearing
	138		1,510		Petition to institute a public use proceeding
	140		110		Petition to revive-unavoidable
	141		1,280		Petition to revive-unintentional
	142		1,280		Utility issue fee (or reissue)
	143		460		Design Issue Fee
	144		620		Plant Issue Fee
	122		130		Petitions to the Commissioner
	123		50		Petitions related to provisional applications
	126		180		Submission of Information Disclosure Stmt.
	581		40		Recording each patent assignment per property (times number of properties)
	146		740		Filing a submission after final rejection (37 CFR 1.129(a))
	149		740		For each additional invention to be examined (37 CFR 1.129(b))
	179		740		Request for Continued Examination (RCE)
	169		900		Request for expedited examination of a design application

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*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1,660.00)

SUBMITTED BY

Typed Name Grant E. Reed

Signature *[Signature]*

Complete (if applicable)

Reg. Number 41,264

Date 10/9/01

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